

REMARKS

The Office Action of December 4, 2009 was received and carefully reviewed.

Claims 1-3, 7-9, 13, 14, 17, and 18 were pending prior to this response. Presently, claims 1, 7, 13 and 17 are amended. By way of this response, claims 3, 9, 14, and 18 are hereby canceled without prejudice or disclaimer. Consequently, claims 1, 2, 7, 8, 13, and 17 remain pending in the instant application.

Support for the features included in the present amendment of claims 1, 7, 13, and 17 can be found at least, e.g., on page 10, line 32 to page 11, line 9 of the specification as originally filed. Applicants thus contend that no new matter has been introduced by way of the amendments to claims 1, 7, 13, and 17.

Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claim Rejections – 35 U.S.C. § 103

Claims 1-3, 7-9, 13, 14, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sundahl et al. (U.S. Pub. No.: 2004/0212573 A1) (*Sundahl*, hereinafter) in view of Ishizuka (U.S. Patent No.: 6,479,940 B1) (*Ishizuka*, hereinafter), and in further view of Storino (U.S. Pub. No.: 2003/0078741 A1) (*Storino*, hereinafter). Claims 3, 9, 14, and 18 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Sundahl* in view of *Ishizuka*, in further view of *Storino*, and yet further in view of Miyashita et al. (JP Patent No.: 36126921A) (*Miyashita*, hereinafter). Applicants traverse the rejections for at least the following reasons.

Claims 3, 9, 14, and 18 have been canceled, thereby rendering their rejection moot.

Independent claims 1, 7, 13, and 17, and the claims dependent therefrom, are patentably distinguishable over *Sundahl*, *Ishizuka*, and *Storino*, since these references, taken either alone or in combination, fail to disclose, teach, or suggest each and every feature recited in the pending claims. For example, independent claims 1, 7, 13, and 17 recite a specific combination of

features including, *inter alia*:

“...a display panel having a pixel portion including a first light-emitting element...a temperature detection unit which detects temperature, **the temperature detection unit including a second light-emitting element...at least the pixel portion and the second light-emitting element are formed over a same substrate.**”
(Emphasis added)

The Examiner recognizes, e.g., on page 3 of the Office Action that the primary reference *Sundahl* fails to teach or suggest numerous aspects of the present, and is reliant on *Ishizuka* for allegedly teaching some of these features, such as a temperature detector.

Ishizuka appears to disclose an active matrix display apparatus including a detector 35 for detecting a temperature of an environment where the light-emitting panel is placed.¹ However, the detector 35 of *Ishizuka* does not include a light-emitting element, as in the present invention.

Moreover, it is respectfully asserted that the relationship between the light adjustment controller 37A and the voltage converting circuit 37B seen in the disclosure of *Ishizuka* is different from the relationship between the pixel portion and the second light-emitting element recited in independent claims 1, 7, 13, and 17.

Storino fails to make up for the above-recited deficiencies with respect to *Sundahl* and *Ishizuka*. Consequently, the Examiner has failed to set forth a proper *prima facie* case of obviousness in the rejection of independent claims 1, 7, 13, and 17 under 35 U.S.C. § 103(a). It is thus respectfully requested that the rejection of claims 1, 7, 13, and 17 be withdrawn, and that these claims receive allowance.

Claims 2 and 8 are allowable at least by virtue of their dependency from one of the independent claims, but also because they are distinguishable over the prior art. It is respectfully

¹ See *Ishizuka*, e.g., col. 6, ll. 53-55 and FIG. 7.

requested that the rejection of claims 2 and 8 under 35 U.S.C. § 103(a) be withdrawn, and that these claims receive allowance.

In discussing the specification, claims, and drawings in this response, it is to be understood that Applicant in no way intends to limit the scope of the claims to any exemplary embodiments described in the specification and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. If, however, the Examiner deems that any issue remains after considering this response, the Examiner is invited to contact the undersigned attorney/agent to expedite the prosecution and engage in a joint effort to work out a mutually satisfactory solution.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

NIXON PEABODY, LLP

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/Anthony J. Canning, Reg. #62,107/
Anthony J. Canning
Registration No. 62,107

NIXON PEABODY LLP
Customer No.: 22204